

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

-v-

JOHN RUBEO,

Supervisee.

12-cr-260 (RJS)  
ORDER

RICHARD J. SULLIVAN, Circuit Judge:

The Court is in receipt of a letter motion from defense counsel in response to the scheduling Order at Doc. No. 72. (Doc. No. 73.) On the parties' consent, in light of the ongoing COVID-19 pandemic, IT IS HEREBY ORDERED THAT the status conference scheduled for October 16, 2020 at 10:00 a.m. EDT shall take place remotely via Skype for Business videoconference. IT IS FURTHER ORDERD THAT no later than 5:00 p.m. on October 14, 2020, the parties should jointly email to the Court a list of persons who anticipate speaking during the videoconference, including counsel, Mr. Rubeo, and Mr. Rubeo's supervising probation officer. The email should provide the telephone numbers or email accounts from which each of those persons expect to join the call. Chambers will email the parties directly in due course with further instructions for accessing the videoconference.

Members of the public may monitor the conference via the Court's free audio line by dialing 1-888-363-4749 and using access code 3290725#.

If possible, defense counsel shall discuss the attached Waiver of Right to be Present at Criminal Proceeding with Mr. Rubeo prior to the proceeding. If Mr. Rubeo consents, and is able to sign the form (either personally or, in accordance with Standing Order M10-468, 20-mc-174 (CM) (S.D.N.Y. Mar. 27, 2020), by defense counsel), defense counsel shall provide the Court

with the executed form at least 24 hours prior to the proceeding. In the event Mr. Rubeo consents, but counsel is unable to obtain or affix Mr. Rubeo's signature on the form, the Court will conduct an inquiry at the outset of the proceeding to determine whether it is appropriate for the Court to add Mr. Rubeo's signature to the form.

SO ORDERED.

Dated:           October 7, 2020  
                  New York, New York

A handwritten signature in blue ink, appearing to read 'R. Sullivan', is written over a horizontal line.

RICHARD J. SULLIVAN  
UNITED STATES CIRCUIT JUDGE  
Sitting by Designation

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X

UNITED STATES OF AMERICA

-v-

**WAIVER OF RIGHT TO BE PRESENT AT  
CRIMINAL PROCEEDING**

JOHN RUBEO,

Defendant.

**12-cr-260 (RJS)**

-----X

\_\_\_\_ Supervised Release Conference

I understand that I have a right to appear before a judge in a courtroom in the Southern District of New York at the time the conditions of my release on supervision or my remand to custody are discussed. I have discussed these rights with my attorney and wish to give up these rights for the period of time in which access to the courthouse has been restricted on account of the COVID-19 pandemic. I request that my attorney and I be permitted to participate by telephone, or if it is reasonably available by videoconferencing, in any conference with the court at which such conditions or my remand are discussed.

Date:

\_\_\_\_\_  
Signature of Defendant

\_\_\_\_\_  
Print Name

I hereby affirm that I am aware of my obligation to discuss with my client the specifications of violation of supervised release, my client's rights to attend and participate in the criminal proceedings encompassed by this waiver, and this waiver form. I affirm that my client knowingly and voluntarily consents to the proceedings being held without my client being physically present in court.

Date:

\_\_\_\_\_  
Signature of Defense Counsel

\_\_\_\_\_  
Print Name

**Addendum for a defendant who requires services of an interpreter:**

I used the services of an interpreter to discuss these issues with the defendant. The interpreter also translated this document, in its entirety, to the defendant before the defendant signed it. The interpreter's name is:

\_\_\_\_\_.

Date:

\_\_\_\_\_  
Signature of Defense Counsel

**Accepted:**

\_\_\_\_\_  
Signature of Judge

Date: